

REPORT ON THE COMMUNITY PRESERVATION ACT

This report was prepared by a town committee charged with the responsibility of presenting information on the Community Preservation Act. Committee members are listed at the end. Further information about the CPA can be found at the websites specified in the footnote.

WHAT'S ON THE BALLOT?

The election ballot on November 4 will include Question Number 5 on whether or not Egremont should adopt the Community Preservation Act. The CPA, if approved by the voters, will create a fund to be used for open space, recreation, historic preservation, and affordable housing. The money for this fund would come from a 3% surcharge on our real estate taxes and a yearly grant from the Commonwealth. Property owners can find the specific language on the ballot, and the amount of their surcharge, by calling town hall or by visiting the town website at www.egremont-ma.gov.

HOW MUCH WOULD THE SURCHARGE HAVE PRODUCED?

In Egremont last fiscal year, the surcharge would have produced about \$67,000. The law provides additional funds from the state to the town of up to 100% of the surcharge. Based on Egremont's size and a 3% surcharge, the town is a good candidate for a 100% match. Had Egremont had the CPA in effect during the last two fiscal years, it would have received a 100% match for each year. However, no one can predict what the match amounts, as determined by the state legislature, will be in the future.

HOW CAN THE MONEY BE SPENT?

CPA fund spending is limited to four broadly defined categories: open space, recreation, historic resources, and affordable housing. In Egremont, open space efforts have historically focused on protecting water resources and keeping farmland available for agricultural purposes. Egremont has many historic resources, including the library, the schoolhouse, and town archives. Egremont doesn't have any affordable housing (that is, housing that is sold or rented at regulated below-market prices). French Park and Prospect Lake are the only town recreational facilities.

Each year, at least 10% of the fund must be spent or set aside for each of the following: open space, historic resources, and affordable housing. The remainder can be spent or set aside for future use for any of the aforementioned four categories: open space, recreation, historic resources, and affordable housing. Up to 5% of the fund can also be spent on administering and implementing the CPA fund. No CPA funds may be spent on maintaining funded projects; maintenance costs would have to be paid from other sources.

In Egremont CPA money could be spent on the following: continuing restoration of the library, the schoolhouse, and historic archives; acquiring more farmland and easements to secure watershed protection and open space; constructing or converting existing structures into affordable housing; and building or rebuilding facilities at French Park, Prospect Lake, and other town properties. More information on permitted CPA expenditures can be found at the websites listed in the footnote on page 1.

HOW IS CPA MONEY MANAGED AND DISTRIBUTED?

CPA monies are managed solely by a committee composed of 5 to 9 members,

and spent or set aside only after final approval at town meeting. The composition of that committee, and how it conducts its business, would be established in a bylaw adopted by the town at the May 2015 annual town meeting. Members of this committee must include a member of each of five town committees: the Conservation Commission, the Planning Board, the Historical Commission, the Housing Authority, and the Park Commission. As Egremont has neither a Housing Authority nor a Park Commission, the bylaw would specify how those positions would be filled. If the bylaw provided for more than five members, it would also have to specify how those additional members were chosen.

The CPA committee would have several duties: to develop a community preservation plan; to create a multiyear financial plan; to maintain records and do required reporting; and, most important, to review and recommend expenditures of CPA fund monies at town meeting.

HOW ARE DECISIONS ON SPENDING THE MONEY MADE?

Any person who wishes to make a proposal for using CPA money may make a presentation to the CPA committee. The committee would select those proposals it recommends, after receiving input on them from the public and other town boards and committees, and forward the recommended projects to town meeting for its consideration. The town meeting can approve the recommended projects, deny the recommended projects, or approve them with reduced funding. The CPA project proposals cannot be amended from the town meeting floor, except that the recommended amounts can be reduced. The committee could recommend spending money from the fund on specific projects or could recommend setting money aside for

later use within a particular category. Set asides would require further vote at a town meeting, unless the town meeting vote explicitly authorized an expenditure without further approval. CPA monies cannot be returned to taxpayers or reduce the amount of future surcharges. Instead, money not appropriated would remain in the fund for purposes that are consistent with community preservation.

COULD CPA-LIKE PROJECTS BE DONE WITHOUT THE CPA?

If the CPA were not adopted in Egremont, any CPA-like projects could still be placed on the town meeting warrant and discussed and voted on at town meetings. The primary difference is that the CPA, if adopted, would provide the 3% real estate tax surcharge plus the state's annually allocated money, if it continues to be available.

CAN ADOPTION OF THE CPA BE CHANGED?

If the town were to adopt the CPA, it could revoke the adoption by voting to end it after 5 years. The town could also vote to reduce the surcharge, but that would reduce the rate of the state match. To date, a total of 216 of the 371 Massachusetts cities and towns have voted on the CPA. 155 have voted to adopt it and 61 have voted to reject it. No town has ever revoked the CPA after adopting it.

Committee members:
Bruce Turner, Chair
Susan Bachelder, Vice Chair
Bill Tynan, Secretary
Richard Allen
Michael Bandzierz
Bruce Bernstein
Ursula Cliff
Charles Flynn
Dave Johnson
Margaret Muskrat
Richard Stanley
Marj Wexler
Lynn Wood